

1 BY MS. LADEN:

2 Q. Could you tell us what that section of the
3 Commission's rules means to you?

4 A. That we are to file a mailing address form each
5 time the address changes.

6 Q. Now doesn't it also indicate that the licensee is
7 responsible to make whatever arrangements may be necessary?

8 A. Yes, ma'am, it does.

9 Q. To ensure that the Commission, the correspondence
10 will promptly reach him?

11 A. Yes, ma'am, it does.

12 Q. To make sure that the address in the Commission's
13 records is accurate?

14 A. Yes, ma'am, it does.

15 Q. Now if you would look at Mass Media Bureau Exhibit
16 17 for a moment?

17 JUDGE SIPPEL: Do you want to move that into
18 evidence?

19 MS. LADEN: Yes, Your Honor.

20 JUDGE SIPPEL: Any objection to its being
21 received?

22 MR. BROWN: No, sir.



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1 JUDGE SIPPEL: Okay. Then Exhibit 21, Bureau
2 Exhibit 21 is received into evidence at this time.

3 (MMB Exhibit No. 21
4 was received into
5 evidence.)

6 JUDGE SIPPEL: It's quarter of three by the clock
7 in the back of the room. Would this be an appropriate time
8 to take a break? Does anybody want to take a break?

9 MS. LADEN: I have about one minute, if that long,
10 Your Honor.

11 JUDGE SIPPEL: Go right ahead.

12 BY MS. LADEN:

13 Q. If you would look at Mass Media Bureau 17, this
14 is, as I indicated, a printout of the Commission's official
15 data base.

16 You see on the first line it says call-sign WKIJ.
17 On the second line, it begins 1130 kilohertz?

18 A. Yes, ma'am.

19 Q. On the third line it says Brown Communications?

20 A. Yes, ma'am.

21 Q. Would you read what it says on the fourth line?

22 A. Address: 314 Highway 79 By-Pass, Jasper, Alabama



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1 35501.

2 Q. Is that your correct address?

3 A. Not at this time. That was the studio location's
4 address.

5 Q. Okay. And may I refer you again to Mass Media
6 Bureau Exhibit 14?

7 Do you have that?

8 Yes, ma'am.

9 Q. Do you see where that was filed with the
10 Commission?

11 A. What is that?

12 Q. Do you see a stamp indicating--

13 A. Yes--received April 27.

14 Q. April 27, 1992?

15 A. Yes, ma'am.

16 Q. Does that show an address of 314 Highway 78
17 By-Pass?

18 A. No, ma'am, it don't.

19 Q. What address does that indicate?

20 A. It indicates the address that I was advised to
21 turn in when the revocation started.

22 Q. And it's in Hernando, Mississippi, is that not



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1 correct?

2 A. Yes, ma'am, it is.

3 MS. LADEN: I have no further questions, Your
4 Honor.

5 JUDGE SIPPEL: Okay. I don't have anything to add
6 in terms of questions.

7 Do you want--is there anything that you wanted to
8 state further in terms of clarifying any of these points?

9 I know what your general argument is. It has been
10 stated several times.

11 In terms of specific points of information, is
12 there anything more that you want to say or bring out? Do
13 you want to consult with your wife for a few minutes before
14 we close the record?

15 (There was a brief pause in the proceedings.)

16 JUDGE SIPPEL: Let's go off the record.

17 (A discussion was held off the record.)

18 JUDGE SIPPEL: Back on the record. Mr. Brown?

19 MR. BROWN: We, we believe we filed an address for
20 the box with the Commission for Box 1332, but we have no
21 record of that, Your Honor, so we don't know, but as soon
22 as--we have tried to keep in touch with the Commission, and



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1 I'll admit that there were some oversights that I did not
2 see. My mistakes, but there were mistakes, and there is
3 nothing I can do about that.

4 I have nothing else to say, Your Honor.

5 MS. LADEN: Your Honor, I have one more question.

6 JUDGE SIPPEL: Ms. Laden?

7 BY MS. LADEN:

8 Q. Mr. Brown, would you look at Mass Media Bureau
9 Exhibit 1, and would you read aloud the last sentence of
10 that letter, which is also the last paragraph?

11 A. Yes. Should further information be desired with
12 respect to this matter, please communicate with me Jimmy D.
13 Brown at P.O. Box 1332, Jasper, Alabama, 35501, or you may
14 reach me at one of these numbers--901-577-0169, or
15 900-375-0971.

16 Q. And that letter is dated June 25, 1990, is that
17 correct?

18 A. Yes, ma'am, it is.

19 Q. And Mass Media Bureau Exhibit 2, which is the
20 response to that letter, is addressed to P.O. Box 1332,
21 Jasper, is it not?

22 A. Yes, ma'am, it is.



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1 MS. LADEN: I have one more question along this
2 line, Your Honor.

3 JUDGE SIPPEL: All right. You may proceed.

4 MS. LADEN: I'm looking for it.

5 BY MS. LADEN:

6 Q. Would you look at Mass Media Bureau Exhibit 8,
7 please?

8 A. Yes, ma'am.

9 Q. And would you read where that, or would you tell
10 me where that letter--you wrote that letter to the
11 Commission.

12 Would you tell us where you addressed that letter?

13 A. To Federal Communications Commission, Mass Media
14 Services, P.O. Box 351890, Pittsburgh, Pennsylvania.

15 Q. And the ZIP code?

16 A. 15251-5190.

17 Q. Do you know why you sent that letter to
18 Pittsburgh?

19 A. Undoubtedly some of the communications that I
20 received came from that address, and I was asked to send it
21 back to that address. That's the only reason.

22 MS. LADEN: Your Honor, I would ask Your Honor to



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1 take official notice of the fact that that address is the
2 FCC's lock box in Pittsburgh.

3 JUDGE SIPPEL: It's familiar to me in that
4 respect.

5 Do you have any objection to that?

6 MR. BROWN: No, sir. I didn't know that. So you
7 know, I just--

8 JUDGE SIPPEL: I will accept that. I'll take
9 official notice of that.

10 BY MS. LADEN:

11 Q. And Mr. Brown, if you would look at Mass Media
12 Bureau Exhibit 9, which is the letter that you indicated you
13 did not receive?

14 A. Yes, ma'am.

15 Q. And look at that box number and that city and
16 state, does that look familiar?

17 A. No, ma'am, it don't. I have never seen it until,
18 until today, or I've seen it, but I don't--

19 Q. Isn't it a fact that it is the address of the
20 Commission's lock box in Pittsburgh as shown on your letter
21 at Mass Media Bureau Exhibit 8?

22 A. There are some similarities, yes, ma'am. The box



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1 number and the city and state and ZIP code is the same.

2 Q. But you did testify earlier that is not your
3 address?

4 A. That is not my address.

5 Q. And it responds to, or I should say if you would
6 refer to Mass Media Bureau Exhibit 8?

7 A. Um-hum.

8 Q. Which Mass Media Bureau Exhibit 9 states it
9 responds to, and look at the bottom under your signature.

10 Is there an address there?

11 A. No, ma'am, there is not--oversight.

12 Q. And look at the first line in that letter and tell
13 me whether there is an address there and what this address
14 is.

15 A. It's WKIJ AM Route 10, Box 138, Jasper, Alabama,
16 35501.

17 MS. LADEN: I have no further questions, Your
18 Honor.

19 JUDGE SIPPEL: All right. I'm prepared to close
20 the record today.

21 Does anybody have anything that they want to raise
22 or suggest or discuss?



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1 I'm going to set a schedule, but I'm going to
2 right now close the record. I'll make a decision based on
3 what is represented to me by both sides as based on the
4 record that we've made here today, and I want to go off the
5 record for just a moment.

6 (A discussion was held off the record.)

7 JUDGE SIPPEL: Let's go back on the record. Let
8 the record reflect that it is 3:00 p.m. The record is
9 closed. And I'm setting the following dates--on proposed
10 findings and record correction, on the 27th of July, that
11 will be the last date for submitting requested changes to
12 any errors in the transcript, and then on August the 21st,
13 by August the 21st or on August the 21st rather, the parties
14 will file their proposed findings and conclusions, and on
15 September the 18th, the parties will file their reply
16 proposed findings and conclusions, and the parties will be
17 guided--I specifically address this to, to Mr. Brown--to
18 follow closely the provisions of Sections 1.261 through
19 1.267 of the Commission's rules with respect to proposed
20 findings and how they relate to my initial decision.

21 MR. BROWN: Yes, sir. Okay.

22 JUDGE SIPPEL: And you said that you do have a



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1 copy of the rules?

2 MR. BROWN: Yes, sir.

3 JUDGE SIPPEL: And that's all there is as far as
4 business today.

5 I appreciate the preparedness of all parties and
6 counsel to this proceeding, and I wish you well on your trip
7 back to Alabama, Mr. Brown.

8 MR. BROWN: Thank you.

9 JUDGE SIPPEL: This proceeding is concluded. We
10 can close the record.

11 (Whereupon, at 3:02 p.m., the hearing was
12 adjourned.)
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1 CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER

2 Parrish, Alabama

Name of Hearing

3 92-35

4 Docket No.

5 Washington, D.C.

6 Place of Hearing

7 June 29, 1992

Date of Hearing

8 I, the undersigned, do hereby certify that the foregoing
9 pages, numbers 73 through 256, inclusive, are the true,
10 accurate and complete transcript prepared from the reporting
11 by Catherine S. Boyd in attendance at the above identified
12 hearing, in accordance with applicable provisions of the
13 contract, and have verified the accuracy of the transcript.

14
15 June 29, 1992

Catherine S. Boyd
Name and Signature of

16 Reporter, Transcriber,
17 and Proofreader

18 Carol J. Thomas Stenotype
Reporting Services, Inc.



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